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EXAMINER

COBY, FRANTZ

ART UNIT PAPER NUMBER

2161

DATE MAILED: 08/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/834,909

Applicant(s)

LINDH, URBAN

Examiner

Frantz Coby

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 May 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 5-15 and 18-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-15 and 18-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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This is in response to Applicant's amendment filed on May 31, 2006 in which claims 1, 3, 13, 20 were amended; claims 21-24 were added and claims 4, 16-17 were canceled.

Status of Claims

Claim 1-3, 5-15 and 18-24 are pending; of which claims 1, 13 and 20 are independent claims.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 5-6, 10, 11, 13 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grealish, US 6,711,715, 23 March 2004 and Barney et al. U.S. Patent no. 6,556,992 April 29, 2003.

Grealish is directed to display state data including spreadsheets and databases (COL 1 lines 7-2).

As to claim 13:

A system for acquiring and presenting data, comprising: a computer that establishes a link with a database and imports data from 5e/ds in the database that are identified in a

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parameter file, a memory that stores the imported data in at least one grouping that corresponds to a column in a spreadsheet user interface; an internal parameter that links corresponding data with each other to form a record of data; a selection component that allows a user to select, via said spreadsheet user interface, a particular data of a record and the format of the data for display; and a presentation device that displays the selected data via said spreadsheet user interface.

The system for acquiring and presenting data is depicted in FIG 1 and described at COL 5 line 55 and after. Grealish creates display state data for display objects contained within a hierarchical data structure (COL 2 lines 39-43), wherein the display objects are associated with data elements such as records (COL 1 lines 29-43).

Data is imported from a database at least when a user loads data (COL 8 lines 3-8). Since a user may choose to display only some of the fields of a record (COL 1 lines 32-36), a data structure such as a list must determine which ones are to be displayed, and this corresponds to an internal parameter file.

In particular, the identifiers of columns in a record correspond to parameters (COL 3 lines 46-47), and a column of a record, grid, or spreadsheet corresponds to a grouping of data elements. Fig 2a-2e depict displays in the format of a spreadsheet, wherein these displays are determined by display objects COL 7 line 24 to COL 9 line 32.

The sequence of displays in FIG 2a-2e is under control of the user, as noted throughout (COL 8 lines 15-18 in particular). The format of the display is the subject of the example, both color and grouping by columns (COL 8 lines 46-52).

It is noted, however, Grealish did not specifically detail the claimed feature of "a presentation device that displays statistical information about the selected data in a spreadsheet user interface by designated category" as recited in the instant claim. On the other hand, Barney et al. achieved the aforementioned claimed limitations by providing a method and system for rating patent and other intangible assets in which a statistical patent rating method is disclose (See Barney Title and Abstract) including a presentation display that displays statistic information (See Figures 4-12 and corresponding text; Col. 11, lines 14-Col. 13, line 8; Col. 28, lines 5-Col. 30, line 43).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the display system of Grealish by introducing the statistical patent rating methodology in the database since Barney suggests the use of display for Internet application (See Barney Col. 29, lines 43-51).

As to claim 6, the sequence of FIG 2a-2e and the corresponding discussion as noted above correspond to groupings chosen by the user, as do the columns to be displayed ICOL 7 lines 25-30 and elsewhere.

The elements of claims 1, 5, 10, 11 and 20 are rejected in the analysis above and these claims are rejected on that basis.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 3, 7-9, 12, 14-15 and 18-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grealish, US 6,711,715, 23 March 2004 and Barney et al. U.S. Patent no. 6,556,992 April 29, 2003 in view of Unger et al (Unger), US 5,721,910, 24 February 1998.

Grealish is not directed to a particular application, such as patent information database, but this is clearly a potential application to which it applies. Both Unger and Barney are directed to a database that models business applications such as patent publications (See Unger COL 2lines 58-63 and Barney Title and Abstract).

It would have been obvious to one of ordinary skill at the time of the invention to apply the method of Grealish to the patent application of Unger because Unger manages display information (FIG 1-4) Barney provides a statistical patent rating and Grealish provides an efficient means to do this (COL 2 lines 29-36). Therefore, users would be provided with a standardized method of comparing patent portfolios of various companies (See Barney Col. 30, lines 21-24); thus, requested reports would be automatically generated.

As to claims 2-3, a tight link is defined as a link that uses an access number of patent number (0018), and Unger teaches the use of such a link (ICOL 5 lines 17-25). As to claims 7 and 18, the parsing of patent literature includes the determination of citations (FIG 1; COL 5 lines 17-25).

As to claim 8, FIG 1 at least depicts various internal databases determined at various stages.

As to claim 9, it is clear that the categories of FIG 1 correspond to pre-determination of bibliographic categories, and the list of such categories corresponds to a parameter file. The technical subject hierarchy per se clearly has the same function. The elements of claims 12, 14, 15 and 19 are rejected in the analysis above and these claims are rejected on that basis.

As per claims 21-24, Barney suggest the use of an interface when displaying for internet application (Col. 28, lines 5-Col. 30, line 43). In addition, barney discloses "displaying of citation information about patents represented by the statistics"; "number of patents in a category"; as Patent metric (See Barney Col. 11, lines 38-59).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantz Coby whose telephone number is 571 272 4017. The examiner can normally be reached on Monday-Friday 9:00AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on 571 272 4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Frantz Coby
FRANTZ COBY
PRIMARY EXAMINER

August 20, 2006